

# Notice of Allowability

Application No.

10/040,950

Examiner

Drew E Becker

Applicant(s)

TORGHELE ET AL.

Art Unit

1761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on September 30, 2004.
2. ☒ The allowed claim(s) is/are 3-35,37-53,55-57 and 82.
3. ☒ The drawings filed on 23 July 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/294,702.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 1-35, 37-53, 55-57, and 82 are allowed.
2. The following is an examiner's statement of reasons for allowance: the multiple station apparatus for automated preparation of pizza of independent claims 3-4 defines over the prior art of record since the prior art does not teach, suggest, nor render obvious a dough mixer comprising a closed housing with two circular and separated surfaces between which two casing surfaces extend which run in an arc along the same casing line and have upper and lower flat surfaces formed by a sliding blade, and kneading element;

the multiple station apparatus for automated preparation of pizza of independent claim 20 defines over the prior art of record since the prior art does not teach, suggest, nor render obvious means for homogenizing and aerating by rotating a kneading element at high speed, means for preparing dough by rotating a kneading element at lower speed, and means for forming a balled dough by rotating a kneading element at a highest speed;

the multiple station apparatus for automated preparation of pizza of independent claim 53 defines over the prior art of record since the prior art does not teach, suggest, nor render obvious the oven including sources of infrared rays in the visible, near-infrared, and far-infrared ranges;

the multiple station apparatus for automated preparation of pizza of independent claim 21 and 35 define over the prior art of record since the prior art does not teach,

Art Unit: 1761

suggest, nor render obvious means for receiving a dough ball and presses the ball into a disc, means for pressing the disc into a pizza base, and means for dimpling the pizza base;

the multiple station apparatus for automated preparation of pizza of independent clam 37 and 82 define over the prior art of record since the prior art does not teach, suggest, nor render obvious the metering and dispensing device includes a dispensing feed tube which applies toppings in a spiral pattern by rotating and shifting radially over the pizza base;

the multiple station apparatus for automated preparation of pizza of independent clam 39 defines over the prior art of record since the prior art does not teach, suggest, nor render obvious a metering and dispensing device including a base plate with a central hole and an axis, a bushing centered on the axis, a spindle connected to the bushing, a carriage connected to the spindle, a tube for feeding the components, wherein rotation causes components to be dispensed in a spiral;

the multiple station apparatus for automated preparation of pizza of independent clam 46 defines over the prior art of record since the prior art does not teach, suggest, nor render obvious means for positioning the pizza for garnishing, means for rotating a dispenser perpendicular to the pizza, means for moving the dispenser radially relative to the perpendicular axis and parallel relative to the pizza, means for dispensing the components whereby they are placed in a spiral;

the multiple station apparatus for automated preparation of pizza of independent clam 47 defines over the prior art of record since the prior art does not teach, suggest,

Art Unit: 1761

nor render obvious sources of infrared rays in the far-, visible-, and near-infrared ranges located in the upper portion of the oven, sources of far-infrared rays located in the lower portion of the oven, the rays acting through a plate with openings which supports the pizza, and reflectors;

the multiple station apparatus for automated preparation of pizza of independent claim 55 defines over the prior art of record since the prior art does not teach, suggest, nor render obvious a pizza cutting and transfer device including a plate, a blade, and a vertical sheet, wherein the plate moves vertically to cut the pizza with the blade, then horizontally allowing the blade and sheet to transfer the pizza.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Drew E Becker whose telephone number is 571-272-1396. The examiner can normally be reached on Mon.-Thur. 8am-5pm and every other Fri. 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on 571-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1761

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Drew E Becker  
Primary Examiner  
Art Unit 1761

  
DREW BECKER  
PRIMARY EXAMINER  
10-13-04